

Chapter 3: Mission and Functions of Adjudications.

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References: INA: 103

Regulations: 8 CFR 100, 8 CFR 103

3.1: Terminology.

USCIS organization has undergone internal restructuring in several phases and continues to evolve. As a result, some of the terminology by which various components are known has changed. The current organization outlined in 8 CFR 100 bears little resemblance to the actual structure now in place. There are differing views on which organizational structure can most effectively achieve the dual and sometimes conflicting goals of proper enforcement of the Act and administration of the benefits provided by the Act. Because of this fluid organizational structure there are a variety of names for organizational components. For the sake of clarity within this manual, the following definitions apply:

- The term “Adjudications” refers to the activity responsible for the administration of all applications and petitions. In the field, “Adjudications” is the program which is responsible for the administration of naturalization and citizenship as well as all other immigration benefit applications and generally encompasses the information functions (administered by immigration information officers, formerly titled Contact Representatives). At the Headquarters level, “Adjudications” refers to the organization within the Office of Programs (currently operating as a component of the Office of Policy and Planning) which is responsible for policy development (but not execution) involving applications for benefits under the Act, except those relating to naturalization and citizenship. Headquarters Office of Program and Regulatory Development is also responsible for policy matters relating to the immigration information officer function. The functions of the Headquarters component are described below, in section 3.5(a).
- The term “Immigration Services” is, at the field office level, used interchangeably with “Adjudications” and in some offices “Benefits.” At the Headquarters level, however, the “Immigration Services Division” is an entirely separate component from Adjudications, reporting to the Office of Field

Operations. The functions of the Headquarters component are described below, in chapter 3.5(b).

- The term “Examinations” refers to the activities of the Office of Examinations. However, that office currently exists only on paper (see 8 CFR 100). Formerly, the Office of Examinations was responsible, at INS Headquarters, for supervision of the Inspections Program, the Adjudications Program, the Office of Administrative Appeals, the Office of Service Center Operations and the Office of Records. The remaining components of the Office of Examinations have been split as described above. In field offices the term “Examinations” may be used interchangeably with Adjudications or it may be used to refer collectively to Adjudications and Inspections.

3.2: Mission Statement.

(a) Vision Statement. USCIS’ customers will receive timely and accurate information and benefit application adjudications through our commitment to excellence, courtesy, process improvement, and employee development.

(b) Mission Statement. To provide accurate and timely information and adjudication of immigration benefit applications to our customers in a professional and courteous manner.

To accomplish this mission, the Immigration Services Division will:

- Develop and provide information to our customers in the most efficient and effective manner, through phone centers, Internet, and community outreach programs.
- Analyze and oversee production management at the application support centers, service centers, and field offices to ensure the effectiveness and efficiency of operation.
- Oversee implementation of re-engineered processes and procedures, and contract activities and management.
- Supervise the development, deployment, and maintenance of USCIS’ immigration services casework systems.
- Ensure that employees have the necessary tools to attain excellence in immigration services.
- Develop a systematic approach to standard operating procedures that includes development, ownership, and mandatory system updates.
- Articulate performance and conduct expectations for all levels of the organization.
- Demonstrate integrity through a commitment to excellence in all work products.
- Ensure accountability exists at all levels of the organization.

3.3: The Chain of Command.

The chain of command for Adjudications personnel in field offices runs through the supervisory chain within the district, through the regional director to the executive associate commissioner for field operations in Headquarters. Within Headquarters, the Immigration Services Division, under the deputy executive

associate commissioner for immigration services, is responsible for managing all immigration benefits-related activities. A detailed description of the Immigration Services Division is included in [chapter 3.6\(b\)](#).

3.4: Adherence to Policy.

(a) Distinction between Correspondence and Policy. Headquarters and regional components are responsible for issuing a large volume of written material to field offices, the general public, congressional office and members of the private immigration bar. The vast majority of this material is a response to a direct, specific inquiry or a “hypothetical” situation. Other material is prepared as implementing instructions to accompany a new USCIS-wide program, policy or regulation. It is important to note that there is a distinction between “correspondence” and “policy” materials. Policy material is binding on all USCIS officers and must be adhered to unless and until revised, rescinded or superseded by law, regulation or subsequent policy, either specifically or by application of more recent policy material. On the other hand, correspondence is advisory in nature, intended only to convey the author’s point of view. Such opinions should be given appropriate weight by the recipient as well as other USCIS employees who may encounter similar situations. However, such correspondence does not dictate any binding course of action which must be followed by subordinates within the chain of command. Examples of policy materials are:

- Statutes and regulations (e.g. INA and 8 CFR)
- Field and Administrative Manuals
- Handbooks and Operations Instructions (until superseded or withdrawn)
- Published precedent decisions (both interim decisions and those within published volumes, unless superseded by other decisions, regulation, or statutory changes.)
- Memoranda and cables from Headquarters specifically designated as policy (bearing the “P” suffix in the reference file number)

Examples of correspondence include:

- Letters from Headquarters to the public, members of congress and the private bar
- Letters from individual members of Congress to USCIS
- Memoranda not bearing the “P” designation (Routine memoranda to subordinates within the chain of command may nevertheless direct specific actions even though they do not constitute policy.)
- Other oral or written communications (such as e-mail or teleconference) from officials within the chain of command which are not conveyed in the form of a specific directive
- Training materials, etc.
- Unpublished decisions of the BIA or AAO

- Head notes of published precedent decisions
- Articles about USCIS programs appearing in the news media, legal and trade journals, etc.
- USCIS and DHS General Counsel opinions
- Legislative history (material from the Congressional Record such as the comments of individual members while legislation is under debate.)

(b) Binding Nature of Policy on Employees. All material which is designated as policy material is binding upon *all* employees of USCIS, unless or until it is specifically superseded by other policy material. There are no exceptions to this rule. To the extent that one policy document appears to be in conflict with another, the “higher” authority is controlling, but clarifications should always be sought in such a situation. For example, if a directive in a field manual appears to conflict with a regulation, the regulation must be followed. Non-policy materials should be give due deference by USCIS employees, but they are not considered binding.

3.5: Roles of Headquarters, Regions and Field Organizations.

(a) Office of Program and Regulations Development (formerly the Office of Adjudications). (Revised 03-13-2005)

The Office of Program and Regulations Development (OPRD):

- Maintains the integrity and quality of the immigration process by providing policy direction to assure that the right applicant receives the right benefit in the right amount of time.
- Provides program guidance and policy development that supports national security and professional and customer-oriented adjudication of immigration benefits.
- Prepares regulations and policy directives to ensure that USCIS employees have the necessary adjudication tools to ensure the right applicant receives the right benefit.
- Presents applicants with clear, accurate and understandable application information.
- Enhances standardized, timely and accurate adjudications through clear policy directives, specialized training and development of easily understood forms.
- Defines, plans and manages program and policy development to improve processing and strengthen the integrity of the adjudicative process.
- Confers with internal and external stakeholders for feedback to promote process improvements.

(b) Immigration Services Division. Organizationally, the Immigration Services Division (ISD) is a component of the Office of Field Operations. ISD is responsible for planning, developing, coordinating, and assessing immigration services operational activities USCIS-wide. ISD consists of the following branches:

- Information and Customer Service Branch
- Business Process and Re-engineering Branch
- Service Center Operations Branch
- Field Services Operations Branch
- Backlog Reduction Branch
- Benefits Systems Branch, and
- Administrative Services Staff.

1. **Information and Customer Service Branch.** The Information and Customer Service Branch coordinates and manages the operations of the USCIS Telephone Centers, and plans, develops, and coordinates information and customer service functions throughout ISD. The branch also serves as the customer service advocate within the Immigration Services Division. The branch consists of the Telephone Centers Unit and the Field Customer Service Operations Unit.

A. *Telephone Centers Unit.* The Telephone Centers Unit establishes and implements standard operating procedures for managing the day-to-day operations of the Telephone Centers. It plans, monitors, and manages long-term telephone-related customer service delivery for immigration services. It coordinates USCIS' and other Federal agencies' efforts to set priorities for customer service projects and programs. The unit proposes administrative policy and procedures for and monitors efficiency and compliance of USCIS telephone information and customer service functions. It regularly monitors and evaluates resources to ensure maximum effectiveness and economy of operations. The unit furnishes guidance and instructions and resolves unusually complex, novel and high visibility issues involving the telephone centers.

B. *Field Customer Service Operations Unit.* The Field Customer Service Operations Unit provides outreach services, through communication and training, to the field to assure the quality and accuracy of information provided to customers. It provides guidance to the correspondence unit on public contact, and plans and reviews the information and customer service provided to the public. It develops brochures, pamphlets, and forms for distribution to the public regarding customer services. To improve public relations and outreach efforts the unit conducts customer surveys, then analyzes the results to enhance communication with employees and the public, and to avoid potential customer service problems. The unit provides ombudsman services to improve the quality of customer service.

2. **Business Process and Re-engineering Branch.** The Business Process and Reengineering Branch (BPR) is responsible for USCIS-wide improvement and growth of services-related business practices and processes. The branch handles regulatory issues for the Immigration Services Division, as well as long and short-term national operational business process and reengineering initiatives. To accomplish this it conducts program studies and projects. It also formulates implementation policy and long range plans to reduce operating costs and assure effectiveness. The branch restructures and reorients immediate and long-range goals to meet changes in legislation.

BPR, which is responsible for developing and reengineering the Naturalization Quality Procedures, also conducts studies regarding naturalization processes and policy. Its members serve as interagency liaison for immigration services policy and initiatives.

3. **Service Center Operations Branch.** The Service Center Operations Branch coordinates and manages the operations of the USCIS Service Centers, Integrated Card Production System, and Direct Mail Program. The branch manages and coordinates the operations of the four service centers, formulates and develops policies and procedures governing their production and management and monitors the implementation of organizational structures, management methods and contract management of the service centers.

The branch furnishes guidance and instructions involving interpretation of policy, procedures, and laws as well as workload measurements and quality assurance.

The branch formulates and develops policies and procedures governing the execution of the Immigration Card Production Systems (ICPS) and monitors ICPS resources to ensure effectiveness and economy of operations.

In addition, the branch directs the development, implementation, and maintenance of the Direct Mail Program within each of the Service Centers, for effective control and evaluation of operations.

To enhance automated processing, the branch provides liaison between Office of Information Services systems developers and service centers and recommends changes to policies and procedures involving automated systems.

4. **Field Services Operations Branch.** Through direct communication with the Regions and field, Field Services Operations Branch coordinates, directs, implements, oversees, and evaluates all field office in their administration of immigration laws, regulations, policies, procedures and projects associated with immigration services. The branch consists of the Field Coordination Unit, the Application Support Centers Unit and the Program Analysis Unit.

A. [Reserved].

B. *Application Support Centers Unit.* The Application Support Centers Unit is responsible for administering and overseeing the application support centers USCIS-wide; managing the fingerprint and background check operation, including facilities acquisition and management; technology systems development and maintenance; and personnel management for contract field support staff. It ensures that contract employees focus on providing courteous service during the collection of fingerprints, signatures and photographs, and measures effectiveness through surveys and management reports. The unit works to develop systems supporting ASC operations, and ensures full compliance with acquisition and other regulatory requirements. To make best use of available resources, the unit develops fingerprint appointment schedules for benefit applicants. The unit plans, implements, and oversees the electronic capture, transmission, storage and retrieval of all sensitive information relating to the fingerprint process. The ASC unit is also responsible for developing, overseeing and managing the Designated Law Enforcement Agency and Mobile Unit Programs to provide fingerprint, photograph, signature and other identification-related services to applicants residing in remote areas of the country.

C. *Program Analysis Unit.* The Program Analysis Unit implements, directs, and oversees the Quality Assurance Program for ISD. It develops, implements, and maintains Standard Operating Procedures and other policy and process guidelines related to the benefits Quality Assurance Program, which is an integral part of quality improvement.

By conducting reviews on a regular basis it ensures consistency USCIS-wide for every adjudication and support process. When the unit identifies areas that are non-compliant it follows-up to correct and improve processing.

The unit helps prepare the field for audits, and works closely with the Office of Internal Audit to review findings and trends to ensure procedures are consistent with legislative policies.

5. **Backlog Reduction Branch.** The Backlog Reduction Branch initiates projects and carries out duties that manage and reduce backlogs in processing applications and petitions for immigration and naturalization benefits.

The unit provides strategic planning, coordination, liaison, oversight, and workload and program analysis to assist the field in reducing processing backlogs. It also develops and monitors resources, operational business processes, and practices that affect productivity. The unit works closely with regional and field staff, USCIS-wide, to accomplish its mission.

6. **Benefits Systems Branch.** The Benefits Systems Branch is responsible for the development, deployment and management of the naturalization and immigration services automation systems. There are three units in the branch: the Systems Development Unit, the Deployment Management Unit, and the Systems Operations Unit.

- A. *Systems Development Unit.* The most significant initiative of the Systems Development Unit is replacing or updating existing automated immigration services processing systems. The unit also directs systems-related activities that support changes arising from the ongoing reengineering of the naturalization process. The unit works with contractors to prepare functional requirements for new systems, redesign efforts, and conversions from other systems. As part of this effort, the unit tests systems for effectiveness, quality assurance, and compliance with field requirements.
- B. *Deployment Management Unit.* The Deployment Management Unit develops systems deployment plans and resource estimates, communicates implementation and training schedules to the field, and monitors the workload of sites scheduled for deployment. As part of this effort, the unit directs the transfer of cases to newly automated immigration services systems. The unit prioritizes deployment, training, and technical support. After deployment, the unit evaluates the implementation through surveys, and provides analysis of the results.
- C. *Systems Operations Unit.* The Systems Operations Unit directs the day-to-day maintenance and operations of all deployed immigration services automated systems. Because issues arise which may affect operating systems, the unit maintains liaison with the other branches of ISD and works closely to assure smooth transition. Examples of these issues are: data conversion and integrity, technological obsolescence, and hardware and software upgrades.

To accomplish these ends, the unit establishes software change control boards as needed for automated systems, and manages their operations; maintains matrix level authority of IRM project leads for the automated systems; analyzes and prioritizes issues for each automated system; and formulates and implements a detailed strategy for dealing with these issues. In addition, the unit reengineers and redesigns future immigration services systems, and monitors the interface of automated systems with other immigration services systems and data conversion.

7. **Administrative Services Staff.** The Administrative Services Staff manages all administrative programs and activities, determines administrative priorities, and represents ISD, Service Centers, Regions, and local offices on immigration services administrative issues. It consists of: Workload/Staffing Analysis and Modeling Unit; Personnel Unit; Budget/Finance Unit; Contracting/Procurement Unit, and Office Management Unit.

- A. *Workload/Staffing Analysis and Modeling Unit.* The Workload/Staffing Analysis and Modeling Unit performs monthly review and analysis of immigration services workload and staffing data. Unit members also perform studies of immigration services processes to monitor and improve productivity and to identify opportunities for improving customer service. The unit prepares weekly, monthly, and ad hoc reports in response to Departmental, Congressional, and Administration requests for workload and staffing data.
- B. *Personnel Unit.* The Personnel Unit performs a wide range of personnel and administrative services and provides technical assistance to managers and subordinates by monitoring activity and program reviews, and helps analyze information resulting from these reviews. It also furthers the goals of Equal Employment Opportunity by taking positive steps to assure affirmative action objectives.

- C. *Budget/Finance Unit.* The Budget/Finance Unit formulates, presents, and executes the budget process for ISD, and provides guidance, assistance, and expert advice on budgeting and financial management issues. It implements financial management methods and systems for maintaining control of federal funds.
- D. *Contracting/Procurement Unit.* The Contracting/Procurement Unit is responsible for procurement and contracting. It monitors, analyzes, and evaluates contract and procurement issues to identify problems and to recommend appropriate action.
- E. *Office Management Unit.* The Office Management Unit coordinates issues regarding day to day Immigration Services Division needs such as office supplies, computer support, telecommunications, and filing procedures. The unit also insures that security policies are enforced, and serves as liaison to building management for coordination of ISD fire safety and other programs.

(c) Administrative Appeals Office.

The Administrative Appeals Office (AAO) adjudicates appeals under authority delegated to USCIS by the Secretary of the Department of Homeland Security (DHS). See DHS Delegation Number 0150.1 (effective March 1, 2003); see also 8 CFR 2.1 (2003). The AAO exercises appellate jurisdiction over the matters described at 8 CFR 103.1(f)(3)(iii) (as in effect on February 28, 2003), with two exceptions—(1) petitions for approval of schools and the appeals of denials of such petitions have been the responsibility of Immigration and Customs Enforcement since November 1, 2004; and (2) applications for S nonimmigrant status have been the responsibility of the Office of Fraud Detection and National Security of U.S. Citizenship and Immigration Services since October 2004.

The AAO maintains appellate jurisdiction over more than 45 different immigration case types. The AAO's jurisdiction includes the matters described at obsolete 8 CFR 103.1(f)(3)(iii) (as in effect on February 28, 2003), with two changes - (1) petitions for approval of schools and the appeals of denials of such petitions are the responsibility of Immigration and Customs Enforcement; and, (2) T and U nonimmigrant petitions and the related adjustment of status applications may be appealed to the AAO.

DHS intends to publish the AAO's appellate jurisdiction in a future rulemaking. In the interim, the AAO's jurisdiction is listed by both subject matter and form number at <http://www.USCIS.gov/AAO>. For comparison purposes, the Board of Immigration Appeals' appellate jurisdiction is listed at 8 CFR 1003.1(b).

In deciding an appeal, the AAO may enter an order sustaining the appeal (approving the case), dismissing the appeal (denying the case), summarily dismissing the appeal, rejecting the appeal, remanding the case to the originating officer for further action, or taking any other action consistent with its authority under the Act and regulations as appropriate and necessary for the disposition of the case. On certification, the AAO may affirm the decision of the director, withdraw the decision of the director, or remand the case for further action. If the AAO remands a case for additional action, such as a request for additional evidence and a new decision, the case remains pending until the originating office completes the ordered action. An officer may not disregard an AAO order that is properly entered on appeal or certification.

(d) Regional Adjudications Office. The Regional Office of Adjudications reports directly to the Regional Director, who reports to the Executive Associate Commissioner for Field Operations. The unit is charged with administration of Headquarters programs for the adjudication of applications for all types of benefits and privileges sought under the provisions of the immigration laws and related statutes. Additionally, the unit is responsible for providing administrative guidance for the naturalization, citizenship, adjustment of status, and other programs for field offices.

ROADN assists Headquarters in the identification, development and prescription of procedures and techniques to meet program goals and objectives. It provides verbal and written guidance to field offices, evaluates field office needs and recommends action items to management. It monitors computerization of program activities and data and identifies corrective operational actions needed to eliminate problems at selective field offices.

ROADN assists the Regional Director in the orderly management of program resources. ROADN staff officers assist in the review of budget proposals, distribution of funds and human resources to ensure the most efficient use of resources. ROADN also assists Headquarters in the audit of field office activities within and outside the region.

The unit also advises the Regional Director, through the assistant regional director for Adjudications of items of interest to assure continuity of regional adjudications activities, and consistency in the application of policy. The unit is often called upon by Headquarters to conduct surveys, provide training, recommend correction of deficiencies in field office operations and respond to written inquiries, requests, complaints or request for information originating from external customers that are directed to HQ.

(e) Service Centers. There are four Adjudications service centers. Originally, they were completely regional in character; that is, they each handled the same types of work within their respective geographic regions and each reported through the regional director. Eventually, the centers began reporting directly to Headquarters and the workloads, in part, became specialized. For most applications and petitions except asylum, the geographic jurisdictions of the service centers are as follows:

Vermont Service Center: Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island, Vermont, Virgin Islands, Virginia, West Virginia.

Texas Service Center: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas

Nebraska Service Center: Alaska, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, Oregon, South Dakota, Utah, Washington, Wisconsin, Wyoming

California Service Center: Arizona, California, Guam, Hawaii, Nevada.

Asylum pre-processing and related employment authorization applications are divided among the four service centers according the asylum office jurisdictional lines: Newark, New York and Arlington asylum office cases are handled through the Vermont Service Center; Chicago and San Francisco asylum office cases are handled through the Lincoln Service Center; Los Angeles asylum office cases are handled through the California Service Center and Miami and Houston asylum offices are handled by the Texas Service Center.

In addition, specific service centers have been designated to handle certain specialty cases:

Nebraska Service Center: handles refugee and asylee adjustment cases; refugee relative petition cases; all refugee travel document issuance and reentry permit issuance cases; military service and Filipino War Veteran N-400 cases; employment authorization for A and G dependents; HRIFA adjustment cases and relating employment authorizations and parole requests, and NAFTA and sports-related temporary worker cases;

Texas Service Center: handles immigrant investor cases (I-526 and I-829); Cuban adjustment cases; immigrant visas except those entering at Los Angeles and San Francisco; NACARA Section 202 adjustment cases and relating employment authorizations and parole requests;

California Service Center: handles immigrant visa cases from Los Angeles and San Francisco; immigrant investor cases (I-526 and I-829); NACARA Section 203 applications (I-881) for aliens living in Alaska, Arizona, California, Guam, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, North Dakota, Oregon, Ohio, South Dakota, Washington or Wisconsin; replacement alien registration cards (I-551 renewal program); and

Vermont Service Center: NACARA Section 203 applications (I-881) for all states except those listed for California Service Center; and replacement alien registration cards (I-551 renewal program).

(f) District and Sub-office Adjudications Sections. District and sub-office adjudications units have always been the “backbone” of the Adjudications Program. Originally, before the evolution of service centers, these offices performed virtually all adjudications work within their assigned geographic area. Prior to 1983, each district and sub-office also had a separate unit handling naturalization and citizenship matters. With the rapid increase in adjudications and naturalization volumes, the four service centers were opened and rapidly expanded. The service centers were originally an outlet for adjudication of certain types of cases which did not require interviews, investigation or complex research. Eventually, the service center concept was expanded to add a receipting function and the “direct mail” program began. Further evolution of the service centers, taking advantage of contract mail and file operations and large scale automation, has dramatically altered the role of the district and sub-office. Today, the adjudicator in a district or sub-office is primarily responsible for more complex cases and cases requiring a personal interview. Much of the preliminary work on such cases has been handled by a service center, with only the interview or investigation and closing actions handled by district adjudications personnel. Largely, district and sub-office workload falls into three categories: naturalization, adjustment of status and removal of conditional resident status. Other work which is time-sensitive, such as orphan processing and urgent travel document requests, is also handled by district and sub-office staffs. Jurisdictional boundaries for district and sub-offices are set out in 8 CFR 100.4.

3.6: Roles and Functions of Related USCIS and DHS Branches.

(a) General. This section deals, in general terms, with the functions of and relationships to Adjudications of a certain organizations within USCIS. For information on liaison with other government agencies, see chapter 83; for information about procedures for record checks through the FBI, Department of State and others, see chapter 18.

(b) Investigations Program. Each district and sub-office has an Investigations Branch which handles a wide range of immigration-related investigative activity. Investigations case work falls primarily into three areas:

- employer sanctions, which is responsible for investigation and prosecution of employer which are in violation of section 274A of the INA which prohibits the employment of aliens who do not have employment authorization;
- criminal alien investigation and processing; and
- fraud investigation, dealing with aliens who commit fraud to circumvent the immigration laws.

Most enforcement activities leading to arrest and removal proceedings within district offices stem from one of these three activities. Because of extremely limited resources available for benefit fraud investigative activity, district Adjudications officers must work closely with Investigations personnel to minimize the volume of cases which are referred for investigative action. Whenever possible, district Adjudications officers should develop simple fraud cases without major involvement by Investigations officers. Investigations should be alerted when there is possible criminal prosecution of large scale operations: document vendors, marriage fraud rings, fraudulent attorney activities, etc. For detailed information regarding the Investigations Case Management System (ICMS), the management system which determines the priority of casework accepted by the Investigations Program, see the *Investigator's Field Manual*, Chapter 61.

(c) Detention and Removal Program. The district Detention and Removal operation is responsible for the management of a docket of cases involving aliens determined to be unlawfully present in the United States. In most districts, unlawfully present aliens are regularly identified during the course of adjudication. Adjudications officers may be required to initiate removal proceedings and place aliens under docket control upon denial of certain immigration benefits. Local procedures, largely dictated by resource availability, will determine which cases are placed under docket control and which offices are responsible for such actions.

(d) District Counsel. The district counsel staff is the legal advisor for the district director in addition to serving as the prosecuting attorney in removal proceedings. The district counsel may also represent the interests of the Adjudications Branch when lawsuits are filed involving Adjudications decisions. USCIS attorneys may be required to prepare and file legal briefs in Federal court as well as immigration court. It is critical that close liaison exist between district counsel staffs and adjudications officers in order to guarantee that only strong, legally defensible cases are brought into court and to forestall legal

actions against USCIS. In some jurisdictions, the United States Attorney has a special assistant United States Attorney for immigration litigation. The district counsel is the primary liaison with this special assistant.

(e) Intelligence Program. The ICE Intelligence Program supports Adjudications in several ways such as examining and identifying fraudulent documents used to support applications and petitions, providing exemplars of legitimate and counterfeit documents and identifying and reporting trends in unlawful immigration-related activities. Individual officers contribute to the Intelligence Program through a district intelligence officer (generally one or more collateral positions), submitting information which may have potential intelligence value. Refer to the *Inspector's Field Manual*, Chapter 32 for a detailed discussion of the Service Intelligence Program, Intelligence gathering, and forensic analysis capabilities and procedures of the Forensic Document Laboratory. Also refer to the Intelligence Bulletin Board on the ICE INTRANET. See also FinCen and INTERPOL, discussed in *SAFM* Chapter 5.5 and *SAFM* Chapter 5.6, resp.

(f) El Paso Intelligence Center (EPIC) Operations. Although not a part of USCIS, EPIC is staffed, in part, by USCIS employees. A discussion of EPIC operations and the reporting of documented false claims is contained in Chapter 32.6 of the *Inspector's Field Manual*. Among other things, EPIC is a repository and source of information concerning authentic and counterfeit birth records often used to support false claims to United States citizenship.

(g) Office of the Inspector General (OIG). The Department of Homeland Security's Management Directive MD 0810.1 of August 24, 2004, established DHS policy regarding the Office of the Inspector General (See [Appendix 3-1](#)).

(h) Fraud Detection and National Security (FDNS).

[Reserved].

3.7: Adjudications Working Groups. [Revised 03-13-2005]

Over the years, Legacy INS and USCIS have developed a number of working groups to assist in the development and implementation of new initiatives. There are two types of working groups: internal ones involving solely USCIS personnel from Headquarters, regional offices and field offices and those which involve USCIS personnel, personnel from other agencies, and private sector individuals who represent various groups USCIS serves.

The working groups have proven themselves invaluable in keeping the field informed about new technologies being developed and in keeping Headquarters informed about current trends and conditions experienced by adjudicators in field offices. Working groups are formed around a particular issue and are of varying (although limited) duration. An added benefit is that such working groups can provide good exposure to field officers (and other employees) wishing to know more about Headquarters operations in general and about the challenges of project development.

Local offices may also organize both internal working groups and working groups which involve outside entities or "stakeholders." See also "community Liaison" in [Chapter 83](#) of this manual.

3.8: Reporting Incidents.

[(b)(2) or (b)(7)(E)]

3.9: Hostage Situations.

[(b)(2) or (b)(7)(E)]

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